

SEP 13 2007

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

| | | |
|---------------------------|---|------------------------------|
| MARION WAYNE JORDAN, |) | |
| Petitioner, |) | Civil Action No. 7:06cv00115 |
| |) | |
| v. |) | <u>FINAL ORDER</u> |
| |) | |
| UNITED STATES OF AMERICA, |) | By: Hon. Norman K. Moon |
| Respondent. |) | United States District Judge |

For the reasons stated in the accompanying Memorandum Opinion, it is now

ORDERED

that respondent's motion to dismiss shall be and hereby is **GRANTED**; petitioner's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 shall be and hereby is **DISMISSED**; and this action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This 13th day of September, 2007.

Norman K. Moon

United States District Judge